



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## SPECIAL SUPPLEMENT

### LOCAL GOVERNMENT ACT 1993 – PROCLAMATION

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Part 1 of Chapter 9, Part 5 of Chapter 12 and section 736 of the Local Government Act 1993, do, by this my Proclamation declare that on and from 25 August 2004:

- (a) the Areas of Coolah and Coonabarabran are amalgamated so as to constitute the new Area having the name of Warrumbungle Shire as described in Schedule A hereto;
- (b) the Proclamation published in the Special Supplement of the Government Gazette No. 90 of 26 May 2004 amalgamating the areas of the City of Bathurst, City of Lithgow, Evans, Merriwa, Mudgee, Oberon, Rylstone and Upper Hunter Shire so as to constitute new Areas having the names of Bathurst Regional, City of Lithgow, Oberon, Mid-Western Regional and Upper Hunter Shire is amended by omitting:
  - (i) clauses (b) and (d) appearing on page 3184 of the Special Supplement;
  - (ii) the definition of “staged commencement date” in clause 1 of Schedule D appearing on page 3205 of the Special Supplement; and
  - (iii) clause 1A of Schedule D appearing on page 3205 of the Special Supplement.
- (c) the land described in Schedule B hereto is taken from the Area of Mid-Western Regional, as last described by Proclamation in Government Gazette No. 90 of 26 May 2004, and transferred to the Area of Upper Hunter Shire, as described in Schedule C hereto;
- (d) the Mid-Western County Council is dissolved with its operations subsumed into the Area of Mid-Western Regional, the new Area of Warrumbungle Shire or the Castlereagh-Macquarie County Council in accordance with the provisions set out in Schedule A hereto;
- (e) the Proclamations in force constituting or varying the constitution of the Castlereagh-Macquarie County Council are amended by:

- (i) excluding the former Coonabarabran Shire Council as a constituent Council of the County Council and by including the new Warrumbungle Shire Council as a constituent Council of the County Council; and
- (ii) increasing the County Council’s area of operations to include the former Area of Coolah that is included in the new Council as described in Schedule A hereto; and
- (iii) providing that two persons are to be elected as members by the Warrumbungle Shire Council to the County Council’s governing body following the declaration of the first election.
- (f) the Proclamations in force constituting or varying the constitution of the Upper Hunter County Council are amended by increasing the area of operations to include the land described in Schedule B that is included in the Area of Upper Hunter Shire as described in Schedule C hereto;
- (g) the provisions set out in Schedule A hereto apply (unless another date is stated), to the Areas effected by this Proclamation, where applicable.

Signed and sealed at Sydney, this 25th day of August 2004.

By Her Excellency’s Command,

TONY KELLY, M.L.C.,  
Minister for Local Government

GOD SAVE THE QUEEN!

#### Schedule A

Land included in the Warrumbungle Shire Local Government Area

Area about 12465.85 square kilometres: Commencing at the junction of the eastern boundary of the Parish of Bungaba, County of Bligh with Talbragar River: and bounded thence by part of that boundary southerly, the generally northern boundary of the Parish of Bligh generally easterly and part of the generally south-eastern boundary of the Parish of Nandoura northerly to the generally south-western boundary of Portion 138; by that boundary and the generally north-

western and northern boundaries of that portion generally north-westerly, generally north-easterly and generally easterly to the generally south-eastern boundary of the Parish of Nandoura; again by part of that boundary generally north-easterly to the Great Dividing Range; by that range generally north-easterly to the generally south-eastern boundary of the Parish of Nandoura; again by part of that boundary and the generally northern boundary of that parish generally north-easterly and generally westerly to Talbragar River, aforesaid; by that river upwards to the generally northern boundary of Portion 77, Parish of Warung; by part of that boundary generally easterly and part of the generally western boundary of Portion 12, Parish of Cunna easterly and northerly to the generally northern boundary of the County of Bligh; by part of that boundary and part of the generally south-eastern boundary of the Parish of Moredevil, County of Pottinger generally north-westerly to the generally south-western boundary of Portion 191, of Parish of Bundella; by that boundary and the generally south-western boundaries of Portions 189, 187 and 195 (part) generally north-westerly, the generally eastern boundary of Portion 186 generally southerly and part of the generally north-eastern, the generally south-eastern and the southern boundaries of Portion 143 south-easterly, generally south-westerly and westerly to Cox Creek; by that creek upwards to the north-eastern prolongation of the south-eastern boundary of Portion 58; by that prolongation and boundary south-westerly to the generally south-western boundary of the County of Pottinger; by part of that boundary generally north-westerly, the generally southern boundary of the Parish of Clarke, County of Pottinger generally easterly to Coxs Creek, aforesaid; by that creek downwards to the eastern prolongation of a southern boundary of Portion 147, Parish of Premer; by that prolongation and part of that boundary westerly to a point 400 metres east of the westmost western boundary of Portion 151, a line 100 metres southerly, a line 260 metres easterly, a line 100 metres southerly, a line westerly to the generally eastern boundary of Portion 104, Parish of Bomera; by part of that boundary and part of the generally eastern boundary of Portion 119 generally southerly to a point 260 metres south of the north boundary of Portion 119, a line westerly to the southern prolongation of the western boundary of Portion 140; by that prolongation, boundary and its prolongation northerly to the road from Breeza to Binnaway and by that road generally easterly to Coxs Creek; by that creek downwards and Bombera Creek, upwards to the eastern prolongation of northern boundary of Portion 42, Parish of Tambar, County of Pottinger; by that prolongation, boundary and part of the western boundary of that portion westerly and southerly to the north-eastern corner of Portion 46; by the northern boundary of that portion and Portion 9, a line, the northernmost boundary of portion 33, Parish of Wilson, and the generally northern boundary of Portion 18, generally westerly to the north-western corner of the said Portion 18; by a line north to the southern boundary of Portion 63, Parish of Urangera; by part of that boundary, the generally southern boundary of Portion 43, the generally western boundary of that portion and Portions 24, 54 and 44 and Portion 15, Parish of Nombi, generally westerly and northerly, the northern boundary of that portion and Portion 9 and part of the northern boundary Portion 29, Parish of Bingle, easterly, the western boundary of that portion and the westernmost and part of the westernmost northern boundary of Portion 100, northerly and easterly, the western boundary of that portion and Portion 34, northerly, by part of the southern boundary and the eastern boundary of Portion 87, easterly and northerly, the generally

northernmost northern boundary of Portion 101 and the northern boundary of Portion 105, generally easterly to Coxs Creek, aforesaid, by that creek downwards to the eastern prolongation of the generally southern boundary of the Parish of Coogal; by that prolongation and boundary and part of the generally western boundary of that parish generally westerly and northerly, the south-eastern and north-eastern boundaries of Portion 195 north-easterly and north-westerly, again the generally western boundary of the Parish of Coogal generally northerly to the north-western corner of the south-western boundary of Portion 191; by a line due east for a distance of 705.9 metres and a line due north for a distance of 2 845 metres; by a line westerly to the westernmost south-western corner of Portion 54; by the westernmost western boundary of that portion and Portion 53 northerly, by the western boundary of that Portion 50, Portion 194 and Portion 49, the westernmost boundary of Portion 46 and a line northerly to the westernmost northern boundary of Portion 86, Parish of Denison; by that boundary westerly, by a line along the eastern boundary of Portion 85, by the northern boundary and by a line along the western boundary of that portion, northerly, westerly and southerly to the generally northern boundary of the Parish of Brigalow; by part of that boundary generally westerly to Kerringle Creek; by that creek upwards to a point about 221.3 metres east of the south-western corner of Portion 7, Parish of Denison West; by a line south to a line point east of the south-eastern corner of Portion 2; by a line west to that corner; by the generally southern boundary of that portion and the southern boundary of Portion 157, generally westerly, part of the generally southern and part of the generally north-western boundaries of the Parish of Denison West generally westerly and generally north-easterly, the eastern prolongation of the southernmost southern boundary of the Parish of Galloway, County of White; by that prolongation, boundary and its prolongation westerly to Borah Creek; by that creek downwards to the southernmost southern boundary of Portion 5, Parish of Cocaboy; by a line south-westerly to a line parallel to and distance 650 metres south of the southern boundary of Portion 1, Parish of Loftus; by that line westerly to a point south-east of the intersection of the eastern prolongation of the southern boundary of the Parish of Denobollie and Timmallallie Creek; by a line north-westerly to that point; by the eastern prolongation and the southern boundary of the Parish of Denobollie westerly to its junction with the generally eastern boundary of the County of Baradine; by a line south-westerly to a point on the eastern boundary of Portion 23, Parish of Coolangoola distant 440 metres north of the south-eastern corner of that portion; by a line north-westerly to a point on the northern boundary of Portion 7, Parish of Cumbil distant 280 metres west of the north-eastern corner of that portion; by the continuation of that line for a further 200 metres; by a line south-westerly to the south-western corner of that portion; by Etoo Creek downwards to the north-eastern corner of Portion 3, Parish of Euligal; by a line generally westerly to a point on the southern boundary of Portion 11 distant 1 220 metres west of the south-eastern corner of that portion; by a line north-westerly to a point on the southernmost southern boundary of Portion 1, Parish of Boorimah distant 940 metres west of the southernmost south-eastern corner of that portion; by a line north-easterly to a point on the western boundary of Portion 2 distant 400 metres north of the south-western corner of that portion; by the continuation of that line for a further 520 metres; by a line north-westerly to a point on the north-western boundary of Portion 48, Parish of Wangan distant 1 380 metres south-west of the northern

corner of that portion; by a line south-westerly to the north-eastern corner of Portion 3; by the northern boundary of that portion and its prolongation westerly to the road from Pilliga to Baradine via Gwabegar; by that road southerly to Baradine Creek; by that creek upwards to its intersection with the Gwabegar Branch Railway; by a line south-westerly to Merriwee Creek; by a line north-westerly to the southern prolongation of the western boundary of Portion 2, Parish of Gwabegar; by a line south-westerly to a point on the western boundary of the Parish of Ceelnoy distant 2 200 metres north of the south-western corner of that parish; by part of the western boundaries of the last mentioned parish and the Parish of White generally southerly, part of the north-eastern and south-eastern boundaries of the Parish of Terembone, County of Leichhardt south-easterly and south-westerly to Teridgerie Creek; by that creek upwards to the generally eastern boundary of the Parish of Teridgerie; by part of that boundary and part of the generally eastern boundary of the Parish of Narratigah generally southerly and the northern boundary of the Parish of Goorianawa easterly to Warrumbungle Range; by that range generally south-easterly to the generally western boundary of the Parish of Woorut; by part of that boundary generally southerly, part of the generally northern, the generally western and part of the generally southern boundaries of the Parish of Gowang generally westerly, generally south-westerly and generally easterly to Wallumburrawang Creek; by that Creek downwards to the western prolongation of the northern boundary of portion 44, Parish of Kirban, County of Gowen; by that prolongation and boundary, a line and the northern boundaries of Portions 66, 67, 56 and 57 and its prolongation easterly to Yarragrinn Creek; by that creek and Castlereagh River, downwards to the generally western boundary of the Parish of Richardson, County of Lincoln; by that boundary and part of the generally southern boundary of that parish generally southerly and generally easterly and the eastern boundary of the Parish of Breelong South and its prolongation southerly to a point approximately 310 metres south of the southern boundary of Portion 2, Parish of Spring Creek; by a line westerly to Spring Creek; by that creek downwards to the northern prolongation of the eastern boundary of Portion 5; by that prolongation, boundary and its prolongation southerly to Talbragar River, aforesaid; by that river and Sandy Creek upwards to the generally western boundary of the Parish of Dapper; by part of that boundary generally southerly to the southernmost southern boundary of Portion 89; by that boundary easterly and the southern prolongation of the westernmost eastern boundary of that portion southerly to a point west of the westernmost south-western corner of Portion 82; by a line easterly to that corner; by part of the generally south-eastern boundary of the County of Lincoln generally north-easterly to the southern boundary of Portion 44, Parish of Rouse, County of Bligh; by part of that boundary and the southern boundaries of Portions 33 and 184 easterly and the eastern boundary of the last mentioned portion and its prolongation northerly to the southern boundary of Portion 26; by part of that boundary easterly, part of the western, the southern and the eastern boundaries of Portion 25 southerly, easterly and northerly and the eastern boundaries of Portions 24, 23, a line, 29 and 119 northerly to the south-eastern boundary of the County of Lincoln, aforesaid; by part of that boundary generally northerly and part of the generally southern boundary of the Parish of Wargundy, County of Bligh, generally easterly to the south-western boundary of the land shown on plan Ms16980e; by that boundary north-westerly and the north-western and north-eastern boundaries

of that land north-easterly and south-easterly to the generally southern boundary of the Parish of Wargundy; again by part of that boundary generally northerly and easterly to Talbragar River, aforesaid, and by that river upwards to the point of commencement.

## 1 Definitions

In this Schedule:

*clause* means a clause in this schedule.

*Director General* means the Director General of the Department of Local Government.

*former Area* means any or all of the following:

- that part of the former Area of Coolah which, by this Proclamation, is constituted as the new Area
- that part of the former Area of Coonabarabran which, by this Proclamation, is constituted as the new Area

*former County Council* means the former Mid-Western County Council.

*former Council* means any of the former Councils of Coolah Shire or Coonabarabran Shire.

*Minister* means the Minister for Local Government.

*new Area* means the Area of Warrumbungle Shire.

*new Council* means the Warrumbungle Shire Council.

*proclamation date* means 25 August 2004.

*the Act* means the Local Government Act 1993.

## 2 First election

- (1) The date of the first election of the Councillors of the new Council is 5 March 2005.
- (2) Unless otherwise required by the Act or the context, the provisions relating to ordinary elections shall be taken to apply to the first election of the Councillors.
- (3) For the purposes of:
  - (a) the entitlements of persons to be enrolled as electors for the new Area and to vote at the election, and
  - (b) the entitlements of persons to be nominated for election as Councillors for the new Area at the election, and
  - (c) the conduct of the election by the State Electoral Commissioner, and
  - (d) any other matter relating to the election, the new Area is taken to have been constituted on the date of publication of this proclamation.

## 3 Administration of new Council for interim period

- (1) For the interim period between 25 August 2004 and the declaration of the first election, one Administrator is appointed and is Mr Bruce Rindfleish (former Mayor of former Coolah Shire Council) to direct and control the affairs of the new Council.
- (2) If Mr Bruce Rindfleish declines to be appointed as the Administrator, resigns from the position or is otherwise unable to act as the Administrator, then Mr Peter Shinton (former Mayor of former Coonabarabran Shire Council) is appointed as the Administrator for the period set out in sub-clause (1) or the remainder of that period. If Mr Shinton declines the appointment, resigns from the position, or is otherwise unable to act as the Administrator then the Minister may appoint an alternate person as the

Administrator for the period set out in sub-clause (1) or the remainder of that period.

- (3) The Administrator will be paid \$50,000 per annum on a pro-rata basis for the interim period.
- (4) Any matters before the new Council that the Administrator appointed under either subclause (1) or subclause (2) is unable or unavailable to determine for such reasons that may include, but are not limited to, the declaration of a pecuniary interest, the declaration of a conflict of interest, illness, or other absence may be determined by a substitute Administrator appointed by the Minister for that limited purpose.
- (5) The Administrator is to complete and lodge with the Acting General Manager within 21 days, a disclosure of interests written return in accordance with Division 2 of Part 2 of Chapter 14 of the Act in the form prescribed by the regulations.
- (6) For the purposes of the Local Government Act 1993, the Administrator does not hold an office or a position of profit under the new Council.

#### **4 Appointment of Acting General Manager**

- (1) The Acting General Manager of the new Area shall be Mr Robert Geraghty (former Acting General Manager of the former Coonabarabran Shire Council) for the term commencing on 25 August 2004 until 5 September 2005.
- (2) The Acting General Manager of the new Council may be confirmed as the General Manager of the new Council at the council meeting prior to the expiry of the period set out in subclause (1), or otherwise recruitment processes commenced.
- (3) If the new Council resolves to commence recruitment processes for a General Manager, the term of the Acting General Manager named in subclause (1) is extended until the General Manager commences with the new Council.

#### **5 Number of Councillors**

- (1) The number of Councillors to be elected to the new Council at its first election is nine (9).
- (2) Subclause (1) does not limit the power of the new Council to re-determine, after the first election the number of its Councillors under section 224 of the Act.

#### **6 Ward Structure**

- (1) The new Council shall not be divided into wards for the first election.
- (2) Nothing in subclause (1) limits the power of the new Council following the first election to hold a constitutional referendum to obtain approval to divide its Area into wards in accordance with Division 1 of Part 1 of Chapter 9 of the Act.

#### **7 Election of Mayor following the first election**

- (1) The Mayor of the new Council is to be elected by the Councillors as referred to in sections 227 (a), 282 and 290 (1) (c) of the Act at the new Council's first meeting following the first election.
- (2) Nothing in subclause (1) limits the power of the new Council following the first election to hold a constitutional referendum to determine the basis on

which the Mayor attains office in accordance with Division 2 of Part 2 of Chapter 9 of the Act.

#### **8 Appointment of the General Manager and other senior staff**

The operation of this clause and clause 4 is not to be regarded as a breach of contract between a former Council or former County Council or the new Council and a senior staff member (including a General Manager).

#### **9 Activities of former Councils and former County Council**

- (1) Anything that was done or omitted to be done by a former Council or former County Council and that had effect immediately before the proclamation date continues to have effect as if it had been done or omitted to be done by the new Council.
- (2) Anything that was commenced by a former Council or former County Council may be completed by the new Council as if it had been commenced by the new Council.
- (3) Without limiting subclause (1) any approval, order or notice that was given or made by a former Council or former County Council, and that had effect immediately before the proclamation date, continues to have effect as if it had been done or made by the new Council.

#### **10 Delegations**

- (1) Any delegation from a former Council or former County Council that was in force immediately before the proclamation date is taken to be a delegation from the new Council and may be revoked or amended accordingly.
- (2) Subclause (1) ceases to have effect when the new Council adopts new delegations under the relevant provisions of the Act.

#### **11 Codes, policies and plans**

- (1) The following policies and plan of the new Council are, as far as practicable and where applicable, to be a composite of the corresponding policies and plans of each of the former Councils and former County Council:
  - (a) local policies for approvals and orders (Part 3 of Chapter 7).
  - (b) management plan (Part 2 of Chapter 13).
- (2) The new Council shall adopt a new social and community plan by 30 November 2006.
- (3) Each of the following codes, policies and plans of the former Coonabarabran Shire Council apply, as far as practicable, to the new Council:
  - (a) code of conduct (section 440).
  - (b) code of meeting practice (Division 1 of Part 2 of Chapter 12).
  - (c) expenses and facilities policy (Division 5 of Part 2 of Chapter 9).
  - (d) EEO management plan (Part 4 of Chapter 11).
- (4) Subclauses (1) and (3) cease to have effect in relation to a code, policy or plan of the new Council when the new Council adopts a new code, policy or plan under the relevant provisions of the Act.

## 12 Fees

- (1) The annual fee paid to each Councillor of the new Council and the annual fee paid to the Mayor of the new Council is to be equal to the highest of the corresponding fees paid by the former Councils.
- (2) Subclause (1) ceases to have effect in relation to an annual fee when the new Council fixes the annual fee in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

## 13 Organisation Structure

The initial organisation structure of the new Council is, as far as practicable, to be a composite of the organisation structures of each of the former Councils and former County Council.

## 14 Transfer of Senior Staff

- (1) Any position that, immediately before the proclamation date, was a senior staff position of:
  - (a) the former Coolah Shire Council is transferred to the Council of the Area of Warrumbungle Shire.
  - (b) the former Coonabarabran Shire Council is transferred to the Council of the Area of Warrumbungle Shire.
  - (c) the former Mid-Western County Council is transferred to the Council of the Area of Mid-Western Regional or the Council of the Area of Warrumbungle Shire as determined by agreement between the Councils of the Areas of Mid-Western Regional and Warrumbungle Shire.
- (2) The senior staff of each former Council and former County Council are taken to be senior staff of the new Council or Mid-Western Regional Council as determined with reference to subclause (1).
- (3) This clause ceases to have effect when a new organisation structure is determined by the new Council under Part 1 of Chapter 11 of the Act.
- (4) A senior staff member of a former Council or former County Council can be confirmed in a senior staff position in the new Council, that has an equivalent level of responsibility and remuneration, when the organisation structure is determined by the new Council in accordance with subclause (3), or otherwise recruitment processes commenced.

## 15 Transfer and maintenance of other staff

- (1) It is intended that the making of any determinations as to the transfer of staff (other than senior staff) by virtue of the constitution of the new Areas made in this proclamation is to be in accordance with this clause:
  - (a) Each member of staff of the former Coolah Shire Council (a transferred staff member) is transferred to the Council of the Area of Warrumbungle Shire.
  - (b) Each member of staff of the former Coonabarabran Shire Council (a transferred staff member) is transferred to the Council of the Area of Warrumbungle Shire.
  - (c) Each member of staff of the former Mid-Western County Council (a transferred staff member) is transferred to the Council of the Area of Mid-Western Regional or the Council of the Area

of Warrumbungle Shire or the Castlereagh-Macquarie County Council as determined by agreement between the Councils of the Areas of Mid-Western Regional and Warrumbungle Shire and the Castlereagh-Macquarie County Council.

- (2) Section 218CA (maintenance of staff numbers in rural centres) and Part 6 of Chapter 11 of the Act (employment protection) applies to the employment of a transferred staff member.

## 16 Transfer of assets, rights and liabilities

- (1) It is intended that the making of any determinations as to the transfer of assets, rights and liabilities of the former Councils and former County Council by virtue of the constitution of the new Area made in this proclamation is to be in accordance with this clause:
  - (a) The assets, rights and liabilities of the former Coolah Shire Council are transferred to the Council of the Area of Warrumbungle Shire.
  - (b) The assets, rights and liabilities of the former Coonabarabran Shire Council are transferred to the Council of the Area of Warrumbungle Shire.
  - (c) The assets, rights and liabilities of the former Mid-Western County Council are transferred to the Council of the Area of Mid-Western Regional or Warrumbungle Shire as determined by agreement between the Councils of the Areas of Mid-Western Regional and Warrumbungle Shire.
- (2) The following provisions have effect in relation to any assets, rights or liabilities that are transferred by operation of subclause (1):
  - (a) The assets of the former Councils or former County Council vest in the new Council or Mid-Western Regional Council by virtue of this clause and without the need for any further conveyance, transfer, assignment or assurance.
  - (b) The rights or liabilities of the former Councils or former County Council become, by virtue of this clause, the rights and liabilities of the new Council or Mid-Western Regional Council.
  - (c) All proceedings relating to the assets, rights or liabilities commenced before the transfer by or against the former Councils or former County Council or a predecessor of any of the former Councils or former County Council, and pending immediately before the transfer, are taken to be proceedings pending by or against the new Council.
  - (d) Any act, matter or thing done or omitted to be done in relation to the assets, rights or liabilities before the transfer by, to or in respect of the former Councils or former County Council or a predecessor of any of the former Councils or former County Council (to the extent to which that act, matter or thing has any force or effect) is taken to have been done or omitted by, to or in respect of the new Council.
  - (e) Anything that was commenced by a former Council or former County Council and uncompleted at the proclamation date may be

completed by the new Council as if it had been commenced by the new Council. This includes but is not limited to any application for approval or consent under the Act or any other Act.

- (f) In so doing, the new Council must make any determinations required to be made in accordance with any relevant code, policy or plan of the relevant former Council or former County Council, until such time as the new Council makes a new code, policy or plan in relation to that matter in accordance with the Act or any other Act.
- (g) Anything that was done by a former Council or former County Council, and that had effect immediately before the proclamation date, or that was commenced by a former Council or former County Council and completed by the new Council as a result of this proclamation, continues to have effect and may be enforced by the new Council as if it had been done by the new Council.
- (h) Without limiting subclause (2) (g) any approval, order or notice that was given or made by a former Council or former County Council, and that had effect immediately before the proclamation date, continues to have effect and for all the purposes of the Act or any other Act shall be deemed to have been given or made by the new Council.
- (i) Any decision of the Land and Environment Court in an appeal from a decision of a former Council or former County Council, determined by the Court after the proclamation date, shall be deemed to be a decision of the new Council.
- (3) In this clause:

Assets means any legal or equitable estate or interest (whether present or future and whether vested or contingent) in real or personal property of any description (including money), and includes securities, streams of income, choses in action and documents.

Liabilities means any liabilities, debts or obligations (whether present or future and whether vested or contingent) and includes liabilities relating to criminal acts.

Rights means any rights, powers, privileges or immunities (whether present or future and whether vested or contingent).

### 17 General provisions with respect to transfers

- (1) A transfer affected by this Schedule takes effect on the proclamation date.
- (2) The Minister may, by notice in writing, confirm a transfer affected by this Schedule.
- (3) Such a notice is conclusive evidence of the transfer.

### 18 Effect of transfer on third party rights

- (1) The operation of clause 16 (Transfer of assets, rights and liabilities) is not to be regarded:
  - (a) as an event of default under any contract or other instrument, or
  - (b) as a breach of contract or confidence or otherwise as a civil wrong, or

(c) as a breach of a contractual provision prohibiting, restricting or regulating the assignment or transfer of assets, rights or liabilities, or

(d) as giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a change in the beneficial or legal ownership of any asset, right or liability.

- (2) No attornment to the new Council by a lessee from a former Council or former County Council is required in relation to a transfer affected by clause 16.
- (3) No compensation is payable to any person or body in connection with a transfer affected by clause 16.
- (4) Subclause (3) does not affect the rights of any person or body in connection with the early termination of a contract between a former Council or former County Council and that person or body.

### 19 Reports and reviews of the new Council

- (1) A duty of the new Council under any Act, including a duty to report or review, which relates to a period before the proclamation date, is to be performed by reference to the former Areas and the former Councils or former County Council as appropriate.
- (2) Until 30 June 2005 the records and statutory reports of the new Council are to be kept as a continuation of the records and statutory reports of each of the former Councils or former County Council and the new Council's financial transactions are to be apportioned between the various accounting records in such a manner as the new Council determines.
- (3) The new Council's financial and statutory reports for the year ended 30 June 2005 are to be prepared in the form of separate reports for each set of records of the former Councils and former County Council for the whole of that year.
- (4) The new Council may pass a resolution to consolidate the records and statutory reports of the former Councils and former County Council and prepare and submit consolidated financial and statutory reports for the new Council for the year ended 30 June 2005. The new Council is to advise the Director General if such a resolution is passed.

### 20 Auditor

- (1) The Auditor, Spencer Steer will be the Auditor of the new Council unless the new Council appoints another Auditor in accordance with Division 3 of Part 3 of Chapter 13 of the Act.
- (2) If the Auditor named in sub-clause (1) declines or is not capable of accepting the appointment, the Minister may appoint an alternate Auditor.

### 21 References to former Areas, Councils and County Council

In any Act, in any instrument made under any Act or in any document of any kind:

- (1) A reference to any of the former Areas, or to a predecessor of any of the former Areas, is taken to include a reference to the new Area and is to be read as a reference to the new Area, and
- (2) A reference to any of the former Councils or former County Council, or to a predecessor of any of the former Councils or former County Council, is to be

taken as a reference to the new Council and is to be read as a reference to the new Council.

## 22 Rating Structures

- (1) The new Council's maximum general income for 2005/06 is to be determined by estimating the proportionate amount of general income for 2004/05 from land in the former Areas that are included in the new Area.
- (2) The new Council is to determine its rating structure taking into consideration subclause (1).
- (3) The rating structure is to be reviewed within the first year of the new Council.

## 23 Mid-Western County Council

The Mid-Western County Council is dissolved with its operations subsumed into the Councils of the Areas of Mid-Western Regional and Warrumbungle Shire or the Castlereagh-Macquarie County Council as determined by agreement between the Councils of the Areas of Mid-Western Regional and Warrumbungle Shire and the Castlereagh-Macquarie County Council.

## 24 Castlereagh-Macquarie County Council

For the interim period between 25 August 2004 and the election of members of the County Council by the Warrumbungle Shire Council following the declaration of the first election, the Administrator of the Warrumbungle Shire Council is entitled to two votes at meetings of the County Council.

## 25 Matters to be determined by Minister

- (1) In order to give effect to this proclamation, the Minister may determine from time to time any matter or thing, including, without limitation, the content of the matters set out in clause 11.
- (2) In pursuance of this clause, any matter or thing requiring determination may be referred to the Minister by the new Council, Mid-Western Regional Council or Upper Hunter Shire Council.
- (3) The Minister may also determine any matter or thing that has not been referred to him by the new Council if the Minister concludes that the matter or thing cannot be determined by agreement between the new Council, Mid-Western Regional Council and Upper Hunter Shire Council or if the Minister is not satisfied with any agreement reached between the aforementioned new Council, Mid-Western Regional Council and Upper Hunter Shire Council, including in relation to subclauses (2) and (4) herein.
- (4) A matter to be determined by the Minister may be referred to the Director General, and/or another person or persons nominated by the Minister, for advice and recommendation, as appropriate.
- (5) The Director General and/or another person or persons nominated by the Minister, shall, if required by the Minister, convene a meeting between the new Council, Mid-Western Regional Council or Upper Hunter Shire Council to assist in the determination of the matter.
- (6) The Director General and/or any person or persons nominated by the Minister under this clause, shall have regard to the Statement of Intent herein and any other principles or guidelines considered appropriate in the circumstances.

## 26 Statement of Intent

- (1) The Minister will consider an application made by the new Council for a Special Variation to increase its General Income.
- (2) There will be meaningful cooperation between the Councils of the Areas of Mid-Western Regional, Warrumbungle Shire and Upper Hunter Shire and Castlereagh-Macquarie County Council in the sharing of information and agreement of all matters necessary to facilitate the provisions of this proclamation.
- (3) The Councillors of the new Council are to exercise community leadership for the whole local government area as set out in the Act.

### Schedule B

Land to be transferred from the Mid-Western Regional local government area to the Upper Hunter Shire local government area

Area about 710.89 square kilometres. Commencing at the junction of the generally northern boundary of the County of Bligh and the generally north-western boundary of Portion 26, Parish of Moan, County of Bligh; and bounded thence by that portion boundary, the western and the southmost southern boundaries of that portion and its prolongation, generally south-westerly, southerly and easterly to the Munmurra River; by that river, downwards to the western prolongation of the northern boundary of Lot 1, DP 779029; by that prolongation, boundary and the generally north-eastern and part of the southern boundaries of that lot, easterly, generally south-westerly and westerly, the generally eastern boundary of Lot 3, DP 184405, generally southerly, and the generally south-eastern boundaries of Lot 1, DP 384909, Lots 33 and 34, DP 131506, generally south-westerly, by a line, south-easterly to the south-eastern side of the road running through Lot 1, DP 381806; by that side of that road, generally south-westerly to the western boundary of Lot 1, DP 381806; by part of that boundary and the western boundary of Lot 1, DP 131801, southerly, the western and part of the southern boundaries of Portion 88, Parish of Nagora, southerly and westerly to the north-eastern prolongation of the south-eastern side of the road running through Portion 113; by that prolongation and side of road, generally south-westerly to the south-western corner of Portion 219, Parish of Bellaleppa; by a line south-westerly to the north-eastern corner of Lot 3, DP 232743; by the generally northern boundary of that lot, generally westerly, part of the generally eastern boundary of the Parish of Borambil, generally southerly to the generally north-eastern side of the Golden Highway; by that side of that highway, generally north-easterly to Borambil Creek; by that creek and Munmurra River, aforesaid, downwards to generally south-eastern boundary of the Parish of Tomimbil; by part of that boundary, generally south-westerly to the southern prolongation of the western boundary of Lot 92, DP 750769; by that prolongation, boundary and part of the northern boundary of that lot, northerly and easterly, the western boundaries of Lots 91 and 21, DP 750769, northerly, part of the southern boundaries of Lots 51 and 20, DP 750769, westerly, the eastern, southern and western boundaries of Lot 3, DP 820707, southerly, westerly and northerly, the western boundary of Lot 98, DP 750769, northerly, part of the southern boundary of Lot 63, DP 750769, westerly, the northern prolongation of the eastern boundary of Lot 6, DP 256129, that boundary, a line, the eastern boundary of Lot 7, DP 256129 and its prolongation, southerly, the eastern

and southern boundaries of Lot Pt 96, DP 750769, southerly and westerly, the southern boundary of Lot 94, DP 750769, westerly, part of the eastern and the southern boundaries of Lot 99, DP 750748 and its prolongation southerly and westerly, part of the south-eastern and the western boundaries of Lot 29, DP 750748, south-westerly and northerly, the southern boundaries of Lots 30, 37, 20 and 72, DP 750748, westerly, part of the eastern, the southern and western boundaries of Lot 76, DP 750748, southerly, westerly and northerly, the generally south-western boundary of Lot 153, DP 750748, generally north-westerly, the generally southern and part of the generally western boundaries of Lot 160, DP 750748, generally westerly and generally northerly, part of the northern boundary of Lot 134, DP 750748 westerly and the western boundary of Lot 128, DP 750748, northerly to the Great Dividing Range; by that range generally north-easterly to generally south-eastern boundary of the Parish of Nandoura, on the southern boundary of Portion 125; by part of that boundary and the generally northern boundary of that parish, generally north-easterly and generally westerly to the Talbragar River; by that river upwards to the generally northern boundary of Portion 77, Parish of Warung; by part of that boundary, generally easterly and part of the generally western boundary of Portion 12, Parish of Cunna, generally northerly to the generally northern boundary of the County of Bligh, aforesaid and by part of that boundary, generally easterly to the point of commencement.

### Schedule C

Land included in the Upper Hunter Shire local government area (as altered)

Area about 8,060.21 square kilometres: Commencing at the junction of Dart Brook with the Hunter River; and bounded thence by that river upwards to the north-western corner of portion 123, parish of Russell, county of Durham; by a line along the northern boundary of that portion and the northern boundary of portion 122 easterly to a point about 15 chains east of the south-western corner of portion 128; by a line north-easterly to the southernmost corner of portion 131; by the generally south-eastern boundary of that portion and portion 132 generally north-easterly to the easternmost south-eastern corner of the latter portion; by a line easterly to the northern-most corner of portion 82; by part of the generally southern boundary of 135 generally easterly to the south-eastern corner of that portion; by the southernmost boundary and the generally south-eastern boundary of portion 120 and the generally south-eastern boundary of portion 83 easterly and generally north-easterly to the southern boundary of portion 44; by part of the southern boundary of that portion, the southern boundary of portion 42, the southern boundary and part of the eastern boundary of portion 41 and the southern boundary of portion 7, easterly, northerly and again easterly to the western boundary of portion 150, parish of St. Aubins; by part of that boundary and the southern boundary of that portion and the southern boundary of portion 149, southerly and easterly to the south-eastern corner of the latter portion; by the generally southern boundary of portion 164, the south-western and south-eastern boundaries of portion 26 and the generally northern boundary of portion 146, generally easterly to the western boundary of portion 12; by part of that boundary, the northern boundary of that portion and a line along the northern boundary of portions 13 and 14, northerly and easterly to the western boundary of portion 266, parish of Tudor; by part of that boundary and a line along the southern boundary of that portion southerly

and easterly to the south-western boundary of portion 268; by a line along the south-western boundary of portions 268, 271 and 272 and the southern boundary of the lastmentioned portion, south-easterly and easterly to the south-eastern corner of the said portion 272; by part of the eastern boundary of that portion and a line along the southern boundary of portions 276, 280 and 283, northerly and easterly to the north-western corner of portion 287; by a line along the western, southern and eastern boundaries of portion 287, southerly, easterly and northerly to the north-western corner of portion 295; by a line along the northern and eastern boundaries of that portion easterly and southerly to the northern boundary of portion 298; by a line along that boundary easterly to the western boundary of portion 319; by part of that boundary and the western boundary of portion 320 southerly to the south-western corner of the latter portion; by the southern boundary of that portion easterly; by the westernmost, the northern and north-eastern boundaries of 302, parish of Foy and the north-eastern boundaries of portions 301, 300 and 299, northerly and generally south-easterly to the westernmost boundary of portion 80, parish of Rosamond; by the range dividing the waters of Fal Brook and Davis Creek through portion 80 generally north-easterly to the easternmost boundary of that portion; again by that range forming the south-eastern boundary of the said parish of Rosamond generally north-easterly to the Mount Royal Range; by that range generally northerly to the source of the Manning River; by that river downwards to its confluence with Kangaroo Creek; by that creek upwards to the south-western corner of portion 113, parish of Myra, county of Hawes; by a line along the western boundary of that portion and portions 107 and 10 northerly to Pigna Barney River; by that river upwards to the south-western corner of portion 28, parish of Curricabark; by a line along the western boundary of that portion, the westernmost boundary of portions 29 and 19 and the western boundary of portion 37 of the said parish of Curricabark, the westernmost boundary of portion 37, parish of Mernot, and the western boundary of portion 36 northerly to McKenzies Creek; by that creek downwards to its confluence with the Barnard River at the north-western corner to portion 23; by a line north-easterly to the south-western corner of portion 8, parish of Hall; by a line along the western boundary of that portion northerly to Tuggolo or Lawsons Creek; by that creek upwards to the northernmost corner of portion 7 of the said parish of Hall; by a western, a northern and the westernmost boundary of that portion, southerly, westerly and again southerly to the Barnard River; by that river upwards to the north-western corner of portion 10, parish of Barry; by a line along the western boundary of that portion southerly to Ben Halls Creek; by that creek upwards to the northern boundary of portion 13; by part of that boundary westerly to the north-western corner of the said portion 13; by part of the western boundary of the said parish of Barry generally southerly to the southernmost corner of portion 34, parish of Yeerawun; by part of the generally northern boundary of the County of Brisbane, generally westerly, part of the generally western boundary of Lot 222, DP 750952, generally easterly and generally southerly, the generally north-eastern, the generally south-eastern and part of the generally south-western boundaries of Lot 1, DP 732462, generally south-easterly, generally south-westerly and generally north-westerly, the generally eastern and the generally southern boundaries of Lot 2, DP 732462, generally southerly and generally westerly to the generally northern boundary of the County of Brisbane, aforesaid; by that boundary and the generally northern



boundary of the County of Bligh generally westerly, part of the generally western boundary of Portion 12, Parish of Cunna, generally southerly and part of the generally northern boundary of Portion 77, parish of Warung, generally westerly to the Talbragar River; by that river downwards to the generally northern boundary of the Parish of Nandoura; by that boundary and part of the generally south-eastern boundary of that parish, generally easterly and generally south-westerly to the Great Dividing Range, on the southern boundary of Portion 215; by that range generally south-westerly to the western boundary of Lot 128, DP 750748; by that boundary, southerly, part of the northern boundary of Lot 134, DP 750748, easterly, the generally western and the generally southern boundaries of Lot 160, DP 750748, generally southerly and generally easterly, the generally south-western boundary of Lot 153, DP 750748, generally south-easterly, the western, southern and part of the eastern boundaries of Lot 76, DP 750748, southerly, easterly and northerly, the southern boundaries of Lots 72, 20, 37 and 30, easterly, the western and part of the south-eastern boundaries of Lot 29, DP 750748, southerly and north-easterly, the western prolongation of the southern boundary of Lot 99, DP 750748, that boundary and part of the eastern boundary of that lot, easterly and northerly, the southern boundary of Lot 94, DP 750769 easterly, the southern and eastern boundaries of Lot Pt 96, DP 750769, easterly and northerly, the southern prolongation of the eastern boundary of Lot 7, DP 256129, that boundary, a line, the eastern boundary of Lot 6, DP 256129 and its prolongation, northerly, part of the southern boundary of Lot 63, DP 750769, easterly, the western boundary of Lot 98, DP 750769, southerly, the western, southern and eastern boundaries of Lot 3, DP 820707, southerly, easterly and northerly, part of the southern boundaries of Lot 20 and 51, DP 750769, easterly, the western boundaries of Lots 21 and 91, DP 750769, southerly, part of the northern and the western boundaries of Lot 92, DP 750769 and its prolongation, westerly and southerly, the generally south-eastern boundary of the Parish of Tomimbil, generally north-easterly to the Munmurra River; by that river and Goulburn River downwards to the north-western corner of portion 25, parish of Dangar, county of Brisbane; by a line along the northern boundary of portions 25 and 26 and the western boundary of portion 29, easterly and northerly to the range forming the generally eastern watershed of Smith's Rivulet of Merriwa Creek; by that range generally north-easterly to the range forming the generally south-western watershed of Worondi Rivulet; by the latter range generally south-easterly to the northernmost corner of portion 93; by the generally north-eastern boundary of that portion and part of the northern boundary of portion 88 generally south-easterly and easterly to the western boundary of portion 38, parish of Wickham; by part of the western, the northern and part of the eastern boundary of that portion northerly, easterly and southerly to the north-western corner of portion 50; by the northern boundary of that portion, part of the western boundary and the northern boundary of portion 305, easterly, northerly and again easterly to the western boundary of portion 61; by a line along that boundary northerly to the southern boundary of portion 353; by part of that boundary and the southernmost boundary of portion 235 westerly to the south-western corner of the lastmentioned portion; by the generally western and northern boundaries of the said portion 235, generally northerly and easterly to the western boundary of portion 354; by part of that boundary and a line along the northern boundary of portion 354; northerly and easterly to the western boundary of portion 32; by part of

that boundary northerly to the south-eastern corner of portion 249; by boundaries of that portion generally westerly, northerly and easterly to the western boundary of portion 126; by a line along the western boundary of that portion northerly to the southern boundary of portion 131; by part of the southern boundary and the western boundary of that portion westerly and northerly; by a line along the northern boundary of portions 131, 47 and 33 easterly to the south-western corner of portion 312; by the western boundary of that portion northerly to the southern boundary of portion 222; by boundaries of that portion westerly, northerly and easterly to the south-western corner of portion 213; by boundaries of portion 213 northerly and easterly to the western boundary of portion 185; by part of that boundary and a line along the western and northern boundaries of portion 184, northerly and easterly to a point south of the south-eastern corner of portion 138; by a line along the eastern boundary of portion 138 northerly to Gungal or Halls Creek; by that creek upwards to the south-western corner of portion 9, parish of Myrabluan; by the southern boundary of that parish generally easterly to Wybong Creek; by that creek downwards to the south-western corner of portion 4 Rem, Parish of Guan Gua; by a line along the southernmost boundary of that portion easterly to the south-western corner of portion 1, parish of Halscot; by the southern boundary of that Parish and the Parish of Strathearn generally easterly to Dart Brook; and by that brook downwards to the point of commencement.

#### Schedule D

Land included in the Mid-Western Regional local government area (as altered)

Area about 8,691.96 square kilometres. Commencing at the confluence of the Macquarie River and Tambaroora Creek: and bounded thence by that creek, upwards to the generally western boundary of Hill End – Tambaroora Common; by that boundary and the northern boundary of that Common, generally northerly and easterly to a point 50 metres offset on the south-eastern side of Dixons Long Point Road; by that 50 metre offset, generally south-easterly to the south-western boundary of Lot 78, DP 756873; by part of that boundary, the north-western boundary of that lot and its prolongation, north-westerly and north-easterly to the generally south-eastern side of the road from Hill End to Hargraves; by that side of that road, generally north-easterly to, again the generally eastern boundary of the Parish of Tambaroora; by part of that boundary, generally northerly to, again the south-eastern side of the road from Hill End to Hargraves; by that side of that road, generally north-easterly to Green Valley Creek; by that creek, upwards to the generally northern boundary of the Parish of Cunningham; by part of that boundary generally easterly to Crudine River; by that river downwards and Turon River aforesaid, and Round Swamp Creek upwards to the western prolongation of the southern boundary of Portion 34, Parish of Hearne, County of Roxburgh; by that prolongation and boundary, the southern and eastern boundaries of Portion 85, the eastern boundary of Portion 96 and part of the western boundary of Portion 152 easterly and northerly and the western prolongation of the northernmost boundary of the lastmentioned portion westerly for a distance of approximately 217 metres; by lines northerly 370 metres, easterly 80 metres and again northerly 446 metres to the western prolongation of the southern boundary of Portion 156; by that prolongation easterly and the western and part of the northern boundaries of that portion

northerly and easterly to the generally western boundary of the Parish of Airly; by part of that boundary generally northerly to the Great Dividing Range; by that range, generally north-easterly and generally north-westerly to the source of Coricudgy Creek at Mount Coricudgy; by that creek and Widdin Brook downwards to the southern prolongation of the western boundary of Portion 31, Parish of Pomany, County of Phillip; by that prolongation, boundary and its prolongation northerly to the range forming the eastern watershed of Emu Creek; by that range generally northerly to the eastern prolongation of the southern boundary of Portion 72, Parish of Simpson; by that prolongation easterly for a distance of approximately 115 metres; by a line northerly to the eastern prolongation of the southern boundary of Portion 44, Parish of Widdin; by that prolongation westerly and the eastern and northern boundaries of that portion northerly and westerly to its north-western corner; by a line north-westerly to Cedar Creek; by a line westerly to The Livery Stable; by part of the generally north-western boundary of the Parish of Simpson generally north-easterly to the eastern prolongation of the generally southern boundary of the Parish of Bylong; by that prolongation westerly to the range forming the eastern watershed of Reedy, Wattle and Stockyard Creeks; by that range and the range forming the north-western watershed of Birds Creek and Kerrabee Arm generally north-easterly to the western boundary of Portion 34, Parish of Kerrabee; by part of that boundary and the northern boundary of that portion and its prolongation northerly and easterly to Goulburn River; by that river and Munmurra River, upwards to generally south-eastern boundary of the Parish of Tomimbil; by part of that boundary, generally south-westerly to the southern prolongation of the western boundary of Lot 92, DP 750769; by that prolongation, boundary and part of the northern boundary of that lot, northerly and easterly, the western boundaries of Lots 91 and 21, DP 750769, northerly, part of the southern boundaries of Lots 51 and 20, DP 750769, westerly, the eastern, southern and western boundaries of Lot 3, DP 820707, southerly, westerly and northerly, the western boundary of Lot 98, DP 750769, northerly, part of the southern boundary of Lot 63, DP 750769, westerly, the northern prolongation of the eastern boundary of Lot 6, DP 256129, that boundary, a line, the eastern boundary of Lot 7, DP 256129 and its prolongation, southerly, the eastern and southern boundaries of Lot Pt 96, DP 750769, southerly and westerly, the southern boundary of Lot 94, DP 750769, westerly, part of the eastern and the southern boundaries of Lot 99, DP 750748 and its prolongation southerly and westerly, part of the south-eastern and the western boundaries of Lot 29, DP 750748, south-westerly and northerly, the southern boundaries of Lots 30, 37, 20 and 72, DP 750748, westerly, part of the eastern, the southern and western boundaries of Lot 76, DP 750748, southerly, westerly and northerly, the generally south-western boundary of Lot 153, DP 750748, generally north-westerly, the

generally southern and part of the generally western boundaries of Lot 160, DP 750748, generally westerly and generally northerly, part of the northern boundary of Lot 134, DP 750748 westerly and the western boundary of Lot 128, DP 750748, northerly to the Great Dividing Range; by that range, generally south-westerly, the generally south-eastern boundary of the Parish of Nandoura, generally south-westerly, the northern, the generally north-western and the generally south-western boundaries of Portion 138, westerly, generally south-westerly and generally south-easterly, again, the generally south-eastern boundary of the Parish of Nandoura, generally southerly, the generally northern boundary of the Parish of Bligh, generally westerly and part of the eastern boundary of the Parish of Bungaba, northerly to the Talbragar River, aforesaid; by that river, downwards to the generally southern boundary of the Parish of Wargundy; by part of that boundary, generally westerly and generally southerly, the north-eastern, north-western and south-western boundaries of land Ms 16980e, north-westerly, south-westerly and south-easterly, again, the generally southern boundary of the Parish of Wargundy, generally westerly, part of the generally south-eastern boundary of the County of Lincoln, generally southerly, the eastern boundaries of Portions 119, 29, a line, 23 and 24, Parish of Rouse, County of Bligh, southerly, the eastern, southern and part of the western boundaries of Portion 25, southerly, westerly and northerly, part of the southern boundary of Portion 26, westerly, the northern prolongation of the eastern boundary of Portion 184, that boundary, southerly, the southern boundaries of the last mentioned portion and Portions 33 and 44, westerly, again, part of the generally south-eastern boundary of the County of Lincoln, generally south-westerly, the generally southern boundary of the Parish of Worobil, County of Bligh, generally easterly to the Cudgegong River; by that river, downwards and Meroo Creek; upwards to the northern prolongation of the eastern boundaries of Portions Pt 17 and 51, Parish of Canning, County of Wellington; by that prolongation and boundaries, southerly, the generally south-western boundaries of Portions 34, 20, 22, 32 and 31 generally, south-easterly, the generally north-eastern boundaries of Portions 10, 14 and 21, Parish of Suttor, generally south-westerly, the northern and eastern boundaries of Portion 12, easterly and southerly, the eastern boundary of Portion 11 and its prolongation, southerly to Gundowda Creek; by that creek, downwards and Black Willow Creek, upwards to the northern prolongation of the generally western boundary of Portion 39, Parish of Walters; by that boundary and part of the southern boundary of that portion, generally southerly and easterly, the western boundaries of Portions 60 and 50, southerly and part of the northern boundary of the Parish of Triamble, westerly to the Macquarie River; by that river, aforesaid, upwards to the point of commencement.

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